

Restriction Requirement

I. Election With Traverse

Applicants elect Groups VI and VII with traverse.

II. Basis For Traverse

According to MPEP § 803, a restriction requirement between patentably distinct inventions is only proper when

- 1.) The inventions are independent or distinct; and
- 2.) There is a serious burden on the Examiner if restriction is not required.

A rebuttable prima facie showing of a serious burden can be made if the Examiner shows by appropriate explanation either separate classification, status in the art, or a different field of search as defined in MPEP § 808.02.

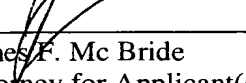
Here, the Restriction Requirement contends that Groups I – VII are distinct as the disclosure of any of the reaction products of Groups I – VII would not anticipate or make obvious the undisclosed of reaction products, and the inventions of Groups I – VII have acquired a separate status in the art.

Applicants respectfully contend that separate subclassification does not constitute a separate classification in the art, and that even if separate subclassification constituted “separate classification” there is no undue burden as an art search for any of Groups I-VII would be expected to yield the art that is pertinent to the patentability of each of Groups I-VII. As a result of the foregoing, Applicants respectfully request that the present restriction requirement be withdrawn.

Conclusion

In view of the foregoing, Applicants respectfully request reconsideration of this application and allowance of the Claims 21-35.

Respectfully submitted,
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